

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I/we hereby declare that:

My/Our residence, post office address and citizenship are as stated below next to my/our name, I/we believe that I/we are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Optical Measurement Apparatus For Living Body

the specification of which (check one)

☒

is attached hereto.

☐

was filed on _____
as Application Serial No. _____
and was amended on _____

(if applicable)

I/We hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I/We hereby claim benefit under Title 35, United States Code, §119 of any provisional application(s) and any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the foreign application(s) on which priority is claimed:

Provisional and/or Foreign Application(s)

Priority Claimed

| | | | | |
|--------------------------------------|---------------------------|---|--|--------------------------------|
| <u>PCT/JP2004/016605</u> (Number) | <u>japan</u> (Country) | <u>09/11/2004</u> (Day/Month/Year Filed) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| <u>2003-395429</u> (Number) | <u>japan</u> (Country) | <u>26/11/2003</u> (Day/Month/Year Filed) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

I/We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I/we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-----------------------------------|------------------------|---|
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status: patented, pending, abandoned) |
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status: patented, pending, abandoned) |
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status: patented, pending, abandoned) |
| _____ (Application Serial No.) | _____ (Filing Date) | _____ (Status: patented, pending, abandoned) |

(Continued on Page 2)

I hereby appoint as principal attorneys; Donald R. Antonelli, Reg. No. 20,296; David T. Terry, Reg. No. 20,178; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973 and Carl I. Brundidge, Reg. No. 29,621 to prosecute and transact all business connected with this application and any related United States application and international applications. Please direct all communications to the following address:

ANTONELLI, TERRY, STOUT & KRAUS, LLP
Suite 1800
1300 North Seventeenth Street
Arlington, Virginia 22209
Telephone: (703) 312-6600
Fax: (703) 312-6666

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | (Full Name) | (Signature) |
|---|--------------------------------|--------------------------|
| Date <u>07/04/2006</u> | Inventor <u>ASAKA Hirokazu</u> | <u>浅香 裕一</u> |
| Residence _____ | | Citizenship <u>Japan</u> |
| Post Office Address <u>2-53-8, Minoridai, Matsudo-shi Chiba</u> | | <u>Japan</u> |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |
| Date _____ | Inventor _____ | |
| Residence _____ | | Citizenship _____ |
| Post Office Address _____ | | |